

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Civil Conference
Minute Order

Before: James Orenstein
U.S. Magistrate Judge

Date: 10/18/2019
Time: 9:30 a.m.

Runs Like Butter Inc. v. MVI Systems LLC, et al.
19-CV-2432 (ARR) (JO)

Type of Conference: Status

Appearances:	Plaintiff	<u>David D. Lin</u>
	MVI Systems Defendants	<u>Adam E. Engel (counsel), Samuel Taub (client)</u>
	Moskowitz & Book, LLP	<u>David A. Stein</u>
	Koss & Schonfeld, LLP	<u>Simcha D. Schonfeld</u>

Scheduling:

1. The next status conference will be held on November 5, 2019, at 10:00 a.m.
2. A pretrial conference will be held on December 10, 2019, at 10:30 a.m.

Summary:

1. Mr. Treitel did not appear as required. Mr. Taub provided a current telephone number at which he can be reached, but Mr. Treitel did not respond to either a call or text sent to that number. Mr. Treitel must appear in person at the next conference scheduled above. Mr. Taub will continue to use his best efforts to convey to Mr. Treitel his obligation both to provide deposition testimony and to appear in person at the next conference. By October 25, 2019, the parties will submit a joint status report on their efforts to secure Mr. Treitel's appearance and testimony. If they have not succeeded in that effort, the parties will include in the letter their respective arguments as to whether and how defendant MVI Systems should be sanctioned for failing to produce Mr. Treitel for testimony.
2. The subpoenas to law firms Koss & Schonfeld and Moskowitz & Book shall be deemed discovery requests served on the party clients of those respective firms. The firms shall preserve and provide responsive documents to their clients so that the clients can produce those that are discoverable and withhold those subject to valid, and specifically identified, objections or assertions of privilege. Defendants MVI Systems and Taub shall produce responsive documents, objections, and a detailed privilege log by November 1, 2019. MVI Industries shall do the same within a reasonable time of being served with the summons and amended complaint.

SO ORDERED

/s/
James Orenstein
U.S. Magistrate Judge